



State of New Jersey

DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF LAW
25 MARKET STREET
PO BOX 112
TRENTON, NJ 08625-0112

PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lt. Governor

MATTHEW J. PLATKIN
Attorney General

MICHAEL C. WALTERS
Acting Director

May 8, 2025

VIA CM/ECF

The Hon. John Milton Younge, U.S.D.J.
15613 U.S. Courthouse
601 Market Street
Philadelphia, PA 19106

Re: McGillvary v. Scutari, et al.
Docket No. 1:23-cv-22605-JMY

State Defendants' Opposition to Plaintiff's Motion for a Final Appealable Order

Dear Judge Younge:

I represent the State Defendants – Governor Philip D. Murphy, the Office of the New Jersey Governor, the New Jersey Legislature, the Hon. Karen Cassidy, J.S.C. (ret.), the Hon. Robert Kirsch (in his former capacity as a Judge of the Superior Court of New Jersey), former Prosecutor Theodore Romankow, State Senator Nicholas Scutari and former State Assemblywoman Linda D. Stender (collectively “State Defendants”) – in the above-referenced matter. My Office is in receipt of pro se Plaintiff Caleb L. McGillvary’s motion, ECF 349, asking the Court to enter a final, appealable order dismissing his claims against the State Defendants and certain of the Co-Defendants. The motion is returnable June 2, 2025.

The State Defendants respectfully oppose Plaintiff’s motion, and adopt the factual and legal arguments set forth in co-defendant Robert Menendez’s opposition, which was filed on May 8, 2025. ECF 355.

Thank you for your attention to this matter.

Respectfully submitted,

MATTHEW J. PLATKIN
ATTORNEY GENERAL OF NEW JERSEY

By: s/ David J. Coppola
David J. Coppola
Deputy Attorney General

CC: (via U.S. Mail)
Caleb L. McGillvary

(via CM/ECF)
Roy Viola, Jr., Esq.

Christopher A. Kay, Esq.
Stuart M. Lederman, Esq.
Kathleen Mahoney, Esq.
Marwan Rasheed, Esq.
Samuel I. Portnoy, Esq.
Michael V. Gilberti, Esq.
Seth Josephson, Esq.
Scott A. Aitken, Jr., Esq.
Michael A. Galpern, Esq.
Craig S. Hilliard, Esq.
Patrick J. Flinn, Esq.
Brian A. Bontempo, Esq.
Christopher H. Buggy, Esq.
Ronald L. Davison, Esq.
Paul L. Lasalle, Esq.
Matthew L. Lippert, Esq.
Thomas A. Della Croce, Esq.
Peter K. Oliver, Esq.
Amos Gern, Esq.
Scott Reiser, Esq.
Rubin Sinins, Esq.
Susannah Price, Esq.